

WHEREAS, The Congress of the United States has enacted Public Law 87-70 (42 U.S.C. 1500), which includes Title VII Open Space Land, designated to assist state and local governments to preserve open space land; and, in extending financial assistance, to assure that local governing bodies preserve a maximum of open-space land with a minimum of cost, through the use of special tax provisions, acquisition of restrictive easements, and other means; and

WHEREAS, The people of the State of Maryland approved an amendment to the Constitution of the State which permits the General Assembly to classify land for purposes of assessment in order to bring our tax policies in line with our land use policies; now, therefore

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 357A(a) of Article 66C of the Annotated Code of Maryland (1964 Supplement), title "Natural Resources," subtitle "Forests and Parks," subheading "In General," be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

**357A.**

(a) The acquisition of interest or rights in real property for the preservation of open spaces and areas constitutes a public purpose for which public funds may be expended or advanced. Any county or city, *the Maryland National Capital Park and Planning Commission* and the state department of forests and parks, may acquire, by purchase, gift, grant, bequest, devise, or lease, the fee or any lesser interest, development right, easement, covenant or other contractual right necessary to achieve this end. Any county or city, *the Maryland-National Capital Park and Planning Commission* and the state department of forests and parks, may also purchase or acquire by contract or gift the fee to any property for the purpose of conveying or leasing said property back to its original owner or other person under such covenants or other contractual arrangements as will limit the future use of the property in accordance with the purposes of this section. The county or city shall not acquire any such fee or any such lesser interest in real property for the purposes aforesaid, by purchase or contract requiring a monetary consideration in excess of \$500.00, until and unless the governing body of such county or city shall adopt a resolution or formal order declaring the public purpose or use therefor and after holding a public hearing respecting the same.

SEC. 2. *And be it further enacted, That new Section 12E be and it is hereby added to Article 81 of the said Code (1964 Supplement), title "Revenue and Taxes," subtitle "What Shall be Taxed and Where," to follow immediately after Section 12D thereof, and to read as follows:*

**12E.**

(a) *This section, to the exclusion of any other public general or public local law unless this section is specifically referred to therein and appropriately modified or repealed, controls and regulates exclusively the granting of any special tax credit based upon land, excluding improvements, which is determined to be an "open space" or "open area" as defined by subsection (b) of Section 357A of*